

# Facilitation and Process

IDWR Well Construction  
Negotiated Rule-making

Mike Hart : June 29, 2006

## This presentation will...

- Describe advantages (and challenges) of video conferencing
- Describe the use of web site
- Provide a big-picture overview of committee schedule and goals
- Have committee participants introduce themselves and their perspective

# Video Conferencing

## Advantages

- Make it easy for users to attend without significant travel inconvenience
- Increase the opportunity for dialogue across the state
- Open public venues with video record of all meetings

## Challenges

- Technology can fail and may not always be smooth
- Less personal/interactive
- May need to draw out people in remote locations
- Locations may not accommodate larger groups

## Goals

- Shift hosting to various sites throughout process
- Learning as we go so don't hesitate to share feedback

# Website and Electronic Communication

Project Website Portal =  
[www.idwr.idaho.gov/  
rulemakingcommittee.htm](http://www.idwr.idaho.gov/rulemakingcommittee.htm)

First place to go

- Meeting agendas, dates, notes, supporting documents, etc.
- Public notices
- Work product drafts

Electronic Communication

- Need participant emails and note whether you have fast or slow connection

# Project Web Portal

- Emails will be sent when page is updated
- Discussion section may be added down the pike
- Make suggestions for additions

## Idaho Department of Water Resources

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Go!

### Need More Information?

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Water Resources  
322 E. Front St  
PO Box 83720  
Boise, Idaho 83720-0098  
Ph: (208) 287-4800  
Fx: (208) 287-6700

Email: [IDWR Public Information](#)

## Rulemaking Committee and Meetings

The Well Construction Standards Rules will be revised to protect the waters of the State of Idaho, ensure the health and safety of persons who rely upon groundwater from domestic, irrigation, and public water supply wells, and to increase the effectiveness of enforcement.

### Committee Information

Negotiated rulemaking is an optional process in which all interested parties and the agency seek a consensus on the content of a rule. Agencies are encouraged to proceed through this informal stage whenever feasible. This stage is initiated with the publication of a Notice of Negotiated Rulemaking in the Idaho Administrative Bulletin. This process leads to the proposed and/or temporary rulemaking stages.

### Committee Information

IDWR has solicited the participation of a diverse array of parties to participate in the negotiated rulemaking committee. The committee will be kept relatively small (~ 12 people) to ensure productivity and balance. The membership of the committee will be selected by IDWR.

### Meeting Information

Those interested in participating in the negotiated rulemaking process are encouraged to attend video teleconference meetings to be held around the state. Additional meetings may be scheduled if necessary.

Note: All attachments are in pdf format unless otherwise noted.

Meeting Date	Agenda	Summary	Documents
June 29-30, 2006	<a href="#">Agenda</a>	To be posted	▶ <a href="#">Meeting locations and times</a> <a href="#">BSU Map</a> <a href="#">MI Water Well Disinfection Manual</a>
July 13, 2006	To be posted	To be posted	▶ <a href="#">Meeting locations and times</a>
July 20, 2006	To be posted	To be posted	▶ <a href="#">Meeting locations and times</a>
Sept 13-14	To be posted	To be posted	▶ To be posted

# Big-Picture Negotiated Rulemaking Process

## Get Committee up to speed on issues

Review Phase 1 findings and discuss significant issues

## Define structural improvements

Define how to organize rules to improve their value (clarity, readability, enforceability, etc.)

Outcome: Outline for new rules developed

## Define substantive improvements

Work through key issues and current rules to port over to new outline

- Sections that can be retained
- Sections that require revision

## Develop draft rule recommendations

## Develop final rule recommendations

## We are not aiming for consensus...

The committee process can use consensus decision-making during its deliberations, but IDWR client has informed us they value stakeholder input and informed deliberation over unanimity and full agreement on the outcome.

“We can develop rules that please all of the people some of the time. Rules that please some of the people all of the time. But we don't expect rules that please all of the people all of the time.”

- *Mike Hart with apologies to  
Abraham Lincoln*

**We are aiming for thoughtful input...**

IDWR would like to hear from a diverse array of stakeholders in order to gather a full array of opinions about what is right for Idaho

- Groundwater resources
- Idaho communities
- Well drillers
- Well owners



# Project Schedule

## First Round

- |                            |                                |
|----------------------------|--------------------------------|
| • June 28-29               | Boise Kickoff                  |
| • July 13th                | Structure and Organization     |
| • July 20th                | Content and Direction          |
| • Aug. 4th<br>revisions    | Post initial draft rule        |
| • Aug. 4th<br>to Sept. 4th | 30-day public<br>review period |

# Project Schedule

## Second Round

- Sept 9th Meeting 1
- Sept 16th Meeting 2
- Sept 23rd Meeting 3
- Oct. 11th Post 2nd draft of recommendations
- Oct. 11th to Nov. 8th 20-day public review of 2nd draft

# Project Schedule

## Final Round

- Nov. 11      Meeting 3:1
- Nov. 18      Meeting 3:2
- Nov. 25      Meeting 3:3
- Dec 8.        Post Final recommendations

# Committee Introductions

- Name
- Email address  
and connection speed (fast/slow)
- Professional role or interest you represent – Why you are here
- Your greatest hope for this process
- Your greatest fear about this process

**And remember... we've only just begun...**

